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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,273	02/21/2002	Edward C. Carman JR.	843P010811-US (PAR)	9776
2512	7590	01/26/2005	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			PHAM, HUONG Q	
			ART UNIT	PAPER NUMBER
			3764	

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SN

Office Action Summary	Application No. 10/081,273	Applicant(s) CARMAN ET AL.	
	Examiner Huong Q. Pham	Art Unit 3764	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claims 1- 44 are objected to because there are terms in the body of the claims which lack proper antecedent basis , or which are not positively recited in the body of the claims. For example , “ said forward end “ and “ said second axis” (claim 1) ; “ said open area” (claim 2) ; “ the other elements “ (claims 11- 14, 27-30, 40, 41, 44) ; “ said tools or appliance” (claims 15, 18, 31), “ said grip” and “ said brace” (claim 33) , “ said second axis “(claims 41, 44), lack proper antecedent basis. The above are only examples of terms which lack proper antecedent basis , or which are not positively recited in the body of the claims. Applicant is advised to review all the claims and make appropriate corrections. Note that elements recited in the preamble of the claims are not positively recited elements.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1- 3, 6- 15, 17- 20, 23- 31, 33- 41, 44 are rejected under 35 U.S.C. 102(b) as being anticipated by Stephens. As for claim 1, Stephens shows

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every claimed feature of claim 1 including an attachment post 11 (figure 5) having a first longitudinal axis, a grip 17 having a second longitudinal axis fixed to said attachment post 11 and extending rearward therefrom, with said second axis extending transverse to said first axis, a seat 27 fixed to said grip and extending rearward therefrom, and a brace 65 constructed substantially in the form of a helix, the helix circumscribing an open space to accommodate the arm of the user, the brace 65 fixed to seat 27 and extending rearward therefrom. Note that the attachment post 11 is constructed with a coupling at means (figure 14) at forward end capable for attachment to a tool or appliance. As for claim 2, note that the open area circumscribed by the brace 65 has a conical shape. As for claim 3, note that the attachment post 11, the grip 17, the seat 27, and the brace 65 are integrally formed . As for claim 6, note that the first and second axes intersect in an acute angle. As for claim 7, note that the second axis and the plane of the seat 27 intersect at an angle which is supplementary to the acute angle. As for claim 8, note that the pitch of the helix decreases from forward to rearward. As for claim 9, note that the radius of curvature of the helix increases from forward to rearward. As for claim 10, note that the brace 65 has a substantially straight portion at its distal end. As for claim 11, note that the brace 65 is oriented with respect to the other elements of the device so that the arm is circumscribed on at least three sides. As for claim 12, note that the brace 65 is oriented with respect to the other elements of the device so that the wrist is free to flex to allow the hand to twist on said grip about the second axis. As for claim 13, note that the brace 65 is oriented with respect to the other elements of the

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device so that the wrist is free to flex about a third axis displaced rearward of said second axis and transverse thereto. As for claim 14, note that brace 65 is oriented with respect to the other elements of the device so that the wrist is free to flex to allow the hand to twist on said grip 17 about the second axis and to flex about a third axis displaced rearward of the second axis and transverse thereto, the flexing operating to lock the wrist and brace 65 to distribute forces away from the wrist. As for claim 15, note the appliance 30 is releasably secured to said attachment post by means of a coupling (figure 14). As for claim 17, note that the seat 27 is contoured to fit the shape of the wrist. As for claims 18- 20, 23- 31, 33- 41, 44, note the comments relative to the above claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-5, 16, 21- 22, 32, 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stephens . As for claims 4-5, 21-22, 42-43, note that any conventional material used to make up the device of Stephens would have been an obvious provision. Plastic and aluminum are well-known material . It would have been obvious to an ordinary skill in the art at the time the invention was made to use a conventional material such as plastic or aluminum as a light

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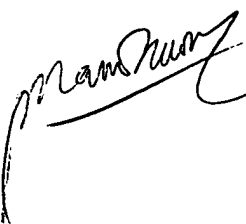
weight durable material for the device of Stephens. As for claims 16, 32, note that keyless chock is a well-known coupling means.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huong Q. Pham whose telephone number is (571) 272-4980. The examiner can normally be reached on 6:30 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine Yu can be reached on (571) 272 - 4835. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

January 20, 2005



JUSTINE R. YU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700

1/24/05